

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Colleton
STATE VS. Albert Edward Siders
AKA:
Race: AFRICAN AME Sex: M Age: 52
DOB: SS#:
Address:
City, State, Zip:
DL#: SID#:

INDICTMENT/CASE#: 2014GS1500245
A/W#: 2014A1510100144
Date of Offense: 2/21/2014
S.C. Code §: 16-03-0910
CDR Code #: 0095

RECEIVED
MAY 14 2015

SENTENCE SHEET

CONVICTED OF or SC Court of Appeals

*CDL Yes No CMV Yes No Hazmat Yes No
In disposition of the said indictment comes now the Defendant who was
TO: Kidnapping / Kidnapping

in violation of § 16-03-0910 of the S.C. Code of Laws, bearing CDR Code # 0095
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) §17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.

Attest: Knight, Steve SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of Life w/p days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$ 1000; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of
probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on: 2014-65-15-294
The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied
by the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal
Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly
pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like § 14-1-206 (Assessments 107.5%), § 14-1-211(A)(1) (Conv. Surcharge) \$100, § 14-1-211(A)(2) (DUI Surcharge) \$100, § 56-5-2995 (DUI Assessment) \$12, § 56-1-286 (DUI Breath Test) \$25, Proviso 47.9 (Public Def/Prob) \$500, § 14-1-212 (Law Enforce. Funding) \$25, § 14-1-213 (Drug Court Surcharge) \$150, § 50-21-114(BUI Breath Test Fee) \$50, § 56-5-2942(J) (Vehicle Assessment) \$40/ea, Proviso 90.5 (SCCJA Surcharge) \$5, 3% to County (if paid in installments) \$, TOTAL \$133.90

Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/Deputy Clerk Patricia C. Grant
Court Reporter: Mona Danley
SCCA/217 (03/2011)

Presiding Judge: Thomas H. King
Judge Code: 054
Sentence Date: 4/22/15

STATE OF SOUTH CAROLINA

COUNTY OF Colleton
STATE VS. Albert Edward Siders
AKA:
Race: AFRICAN AME Sex: M Age: 52
DOB: SS#:
Address:
City,State,Zip:
DL#: SID#:

*CDL Yes No CMV Yes No Hazmat Yes No

In disposition of the said indictment comes now the Defendant who was TO: Robbery / Armed Robbery, robbery while armed or allegedly armed with a deadly weapon

in violation of 16-11-0330(A) of the S.C. Code of Laws, bearing CDR Code # 0139
NON-VIOLENT VIOLENT SERIOUS MOST SERIOUS
Mandatory GPS(CSC w/minor 1st or Lewd Act) 17-25-45

The charge is: As Indicted, Lesser Included Offense, Defendant Waives Presentment to Grand Jury.
The plea is: Without Negotiations or Recommendation, Negotiated Sentence, Recommendation by the State.
ATTEST:

Knight, Steve SC Bar# Defendant Attorney for Defendant SC Bar#

WHEREFORE, the Defendant is committed to the State Department of Corrections, County Detention Center,
for a determinate term of LIFE days/months/years or under the Youthful Offender Act not to exceed years
and/or to pay a fine of \$ w/p Parole; provided that upon the service of days/months/years and/or payment
of \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

CONCURRENT or CONSECUTIVE to sentence on:
The Defendant is to be given credit for time served pursuant to S.C. Code 24-13-40 to be calculated and applied by the State Department of Corrections.
The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

RESTITUTION: Deferred Def. Waives Hearing Ordered
Total: \$ plus 20% fee: \$
Payment Terms:
Set by SCDPPPS

Recipient:

Table with 3 columns: Description, Amount, Total. Includes items like Assessments 107.5%, Conv. Surcharge, DUI Surcharge, DUI Assessment, DUI Breath Test, Public Def/Prob, Law Enforce. Funding, Drug Court Surcharge, BUI Breath Test Fee, Vehicle Assessment, SCCJA Surcharge, and 3% to County.

PTUP
days/hours Public Service Employment
Obtain GED
Attend Voc. Rehab. or Job Corp.
May serve W/E beginning
Substance Abuse Counseling
Random Drug/Alcohol testing
Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ beginning
\$ paid to Public Defender Fund
Other:

Appointed PD or appointed other counsel, 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk Patricia C. Grant
Court Reporter: Mona Manley
SCCA/217 (03/2011)

Presiding Judge
Judge Code: 054
Sentence Date: 4/22/15

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2014GS1500244
A/W#: 2014A1510100143
Date of Offense: 2/21/2014
S.C. Code 16-11-0330(A)
CDR Code #: 0139

SENTENCE SHEET

CONVICTED OF or PLEADS

STATE OF SOUTH CAROLINA)
COUNTY OF COLLETON)

INDICTMENT # 2014GS1500242
WARRANT # 2014A1510100141

R&E

vs.)

ALBERT SIDERS,)
Defendant)

MEMORANDUM

The above-captioned Defendant was found guilty of Possession of a Weapon During Commission of a Violent Crime ("PWDVC") earlier today by a Colleton County jury. The Defendant was also found guilty of Armed Robbery and Kidnapping. Both of these charges are Violent Crimes under South Carolina Code § 16-1-60 (1976, as amended).

However, the Honorable Thomas Cooper did not impose a sentence on this particular indictment. This is due to the fact that the Defendant was sentenced to Life Without the Possibility of Parole, commonly referred to as "LWOP," on the other two crimes. SC Code § 17-25-45 provides that a person with a prior "most serious" offense must be sentenced to LWOP in the event that he is convicted of an additional "most serious" offense. The Defendant had a prior conviction for Armed Robbery, which is defined as "most serious," therefore he was sentenced to LWOP.

The statute for PWDVC is found at § 16-23-490. That section provides that the otherwise-mandatory "five-year sentence does not apply in cases where the death penalty or a life sentence without parole is imposed for the violent crime." With this provision in mind, Judge Cooper correctly declined to impose a sentence.

Accordingly, the Defendant should be transported from the Colleton County Detention Center to the South Carolina Department of Corrections without further delay.

Reed A. Evans
Reed A. Evans
Assistant Solicitor
14th Judicial Circuit

COLLETON COUNTY
GENERAL SESSIONS COURT
2014 APR 22 PM 4:57

FOURTEENTH CIRCUIT PUBLIC DEFENDER

Colleton County Office

115 Benson Street
Walterboro, SC 29488
843.549.1633 Office
843-542-9543 Fax

RECEIVED
MAY 14 2015
SC Court of Appeals

May 11, 2015

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: State vs. Albert Siders

Dear Ms. Kitchings,

Find enclosed the copies of the sentencing sheets and memorandum from the Solicitor. I apologize for the inconvenience.

Colleton County Public Defender

Enclosures

BC/